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In re Application of :
David M. Stamper, et. al. :
Application No. 10/826,789 : **ON PETITION**
Filed: April 16, 2004 :
Attorney Docket No. 84,238 :

This is a decision on the petition under 37 CFR 1.137(b), on June 20, 2008, to revive the above-identified application.


The application became abandoned for failure to respond to the Restriction/Election Requirement mailed November 15, 2007. A Notice of Abandonment was mailed on June 13, 2008.

It is not apparent whether the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. However, in accordance with 37 CFR 1.34(a), the signature of Dave A. Ghatt appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) an election and amendment; (2) the petition fee of \$1,540; and (3) a proper statement of unintentional delay. Therefore, the petition is **GRANTED**.

This application file is being referred to Technology Center Art Unit 1797 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.


Andrea Smith
Petitions Examiner
Office of Petitions